

Honolulu, Hawaii

MAR 22 2017

RE: H.B. No. 1381
H.D. 2
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health,
to which was referred H.B. No. 1381, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO ELEVATOR MECHANICS,"

begs leave to report as follows:

The purpose and intent of this measure is to amend the
elevator mechanics law by:

- (1) Adding an examination requirement for applicants for licensure;
- (2) Clarifying the licensing requirements for elevator mechanics, including the procedures and standards for license renewals, and qualifications for licensure;
- (3) Clarifying the scope of work for elevator mechanics; and
- (4) Clarifying the meeting requirements and powers and duties of the Elevator Mechanics Licensing Board.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations; International Union of Elevator Constructors, Local 126; and Painting Industry of Hawaii Labor Management Cooperation Trust Fund. Your Committee received comments on this measure from the



Elevator Mechanics Licensing Board and National Elevator Industry, Inc.

Your Committee finds that the elevator industry is undergoing rapid technological advancements that will require increased knowledge from the highly skilled professionals who install, service, maintain, and test elevators and related conveyances in the State. Accordingly, this measure makes various updates to the elevator mechanics licensing law to: clarify the scope of work for elevator mechanics; amend the licensing requirements for elevator mechanics, including requiring completion of a continuing education course prior to licensure renewal; and update the powers and duties of the Elevator Mechanics Licensing Board.

Your Committee notes the concerns raised in testimony by the Elevator Mechanics Licensing Board that the minimum qualifications for licensure proposed by this measure may eliminate one avenue of training for elevator mechanics, which may inadvertently prevent otherwise qualified individuals from obtaining licensure in Hawaii. Your Committee appreciates these concerns and notes that the Elevator Mechanics Licensing Board has indicated discussions on this issue will continue.

Your Committee also notes that the National Elevator Industry, Inc., indicated in testimony before your Committee that it has developed a model elevator law in conjunction with the International Union of Elevator Constructors, which it is promoting to state legislatures across the country to ensure consistency with industry practices. The National Elevator Industry, Inc., expressed concern in testimony that this measure as written may expand the scope of work and definition of "elevator mechanic" beyond the scope of work solely undertaken by elevator mechanics. Your Committee understands these concerns and concludes that amendments to this measure are necessary to incorporate suggested language from the model law. However, your Committee notes that additional discussions with interested stakeholders regarding this model language may be needed as this measure continues through the legislative process.

Your Committee has amended this measure by:

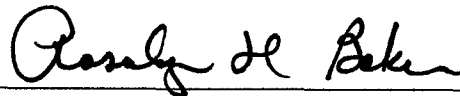
- (1) Adopting suggested amendments from the National Elevator Industry, Inc.'s model law, which:



- (A) Clarifies the scope of work for elevator mechanics;
and
- (B) Amends the definition of "elevator mechanic";
- (2) Inserting an effective date of July 1, 2050, to
encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the
purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1381, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1381, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Commerce, Consumer
Protection, and Health,



ROSALYN H. BAKER, Chair



The Senate
Twenty-Ninth Legislature
State of Hawai'i

Record of Votes
Committee on Commerce, Consumer Protection, and Health
CPH

Bill / Resolution No.:* HB 1381, HD2	Committee Referral: CPH, WAM	Date: 3/14/17		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	/			
NISHIHARA, Clarence K. (VC)	/			
CHANG, Stanley	/			
ESPERO, Will	/			
IHARA, Jr., Les	/			
KIDANI, Michelle N.	/			
RUDERMAN, Russell E.	/			
TOTAL	7			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align: center;"><i>Clarence K. Nishihara</i></div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes